

Chronology of the Federal Judiciary's Electronic Public Access (EPA) Program

1989 Federal Judicial Center initiated pilot programs to provide Public Access to Court Electronic Records (PACER) systems in several bankruptcy and district courts.

1990 Judicial Conference [directed by Congress](#) to prescribe reasonable [fees](#) for public access to electronic information, to be deposited into a special fund for information technology projects. The initial fee for public access, via a dial-in bulletin board service, was set at \$1/ minute.

1992 PACER expanded to additional district and bankruptcy courts.

1995 Fee reduced to 75 cents per minute.

1996 Fee reduced to 60 cents per minute.

1997 National locator index added.

1998 As the judiciary began development of the new Case Management/Electronic Case Files (CM/ECF) system, which allows courts to maintain complete electronic case files, a web interface was created for PACER, and the Judicial Conference prescribed a 7 cents per page fee for Internet access to documents from the case file. The Conference also stated that courts could make certain items, such as local rules and forms, opinions and other local information available at no cost.

2001 As deployment of CM/ECF continued, the Judicial Conference approved two new provisions:

1. Attorneys of record and parties in a case receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer.
2. No fee is owed until charges of more than \$10 in a calendar year are accrued.

2002 Judicial Conference approved a 30 page cap on per-document charges (\$2.10)

ELECTRONIC PUBLIC ACCESS FEE SCHEDULE (eff. 3/20/02)

Following are fees to be charged by the courts in connection with electronic public access to court records. These fees shall apply to the United States unless otherwise stated. No fees under this schedule shall be charged to federal agencies or programs which are funded from judiciary appropriations, including, but not limited to, agencies, organizations, and individuals providing services authorized by the Criminal Justice Act, 18 U.S.C. § 3006A, and bankruptcy administrator programs.

- I. For usage of electronic access to court data via dial up service: sixty cents per minute. For public users obtaining information through a federal judiciary Internet site: seven cents per page, with the total for any document not to exceed the fee for thirty pages. The court may, for good cause, exempt persons or classes of persons from the fees, in order to avoid unreasonable burdens and to promote public access to such information. Attorneys of record and parties in a case (including *pro se* litigants) receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. No fee is owed under this provision until an account holder accrues charges of more than \$10 in a calendar year.
- II. For printing copies of any record or document accessed electronically at a public terminal in the courthouse: ten cents per page. This fee shall apply to services rendered on behalf of the United States if the record requested is remotely available through electronic access.
- III. For every search of court records conducted by the PACER Service Center, \$20.

JUDICIAL CONFERENCE ADVISORY NOTES

Exemptions should be granted as the exception, not the rule. The exemption language is intended to accommodate those users who might otherwise not have access to the information in this electronic form. It is not intended to provide a means by which a court would exempt all users. Examples of persons and classes of persons who may be exempted from electronic public access fees include, but are not limited to: indigents; bankruptcy case trustees; not-for-profit organizations; and voluntary ADR neutrals.

The electronic public access fee applies to court data obtained electronically from the public records of individual cases in the court, including filed documents and the docket sheet. Courts may provide other local court information at no cost. Examples of information which can be provided at no cost include: local rules, court forms, news items, court calendars, opinions designated by the court for publication, and other information – such as court hours, court location, telephone listings – determined locally to benefit the public and the court.

*Departments of Commerce, Justice and State, the Judiciary and Related Agencies
Appropriations Act P.L. 101-515 § 404 (November 5, 1990)*

(a) The Judicial Conference shall prescribe reasonable fees, pursuant to sections 1913, 1914, 1926, and 1930 of title 28, United States Code, for collection by the courts under those sections for access to information available through automatic data processing equipment. These fees may distinguish between classes of persons, and shall provide for exempting persons or classes of persons from the fees, in order to avoid unreasonable burdens and to promote public access to such information. The Director, under the direction of the Judicial Conference of the United States, shall prescribe a schedule of reasonable fees for electronic access to information which the Director is required to maintain and make available to the public.

(b) The Judicial Conference and the Director shall transmit each schedule of fees prescribed under paragraph (a) to the Congress at least 30 days before the schedule becomes effective. All fees hereafter collected by the Judiciary under paragraph (a) as a charge for services rendered shall be deposited as offsetting collections to the Judiciary Automation Fund pursuant to 28 U.S.C. 612(c)(1)(A) to reimburse expenses incurred in providing these services.